

# UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

KENNETH EUGENE JACKSON

Date of Previous Judgment: 08/26/1998

(Use Date of Last Amended Judgment if Applicable)

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Case No: 1:97CR310-02

USM No: 14550-058

Claire J. Rauscher

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 150 months **is reduced to** time served.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 39

Amended Offense Level: 37

Criminal History Category: III

Criminal History Category: III

Previous Guideline Range: 324 to 405 months

Amended Guideline Range: 262 to 327 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

Other (explain): The Court has considered the factors set forth in 18 U.S.C. § 3553(a), *United States v. Booker*, the Government's objections to the motion, the Defendant's exemplary record during incarceration, his current release status, as well as public safety and post-sentence conduct. In accordance with USSG § 1B1.10 of the 2007 United States Sentencing Guidelines, the Defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **TIME SERVED**.

### III. ADDITIONAL COMMENTS

**It is further ordered** that as a condition of supervised release, the defendant shall submit to the local Residential Reentry Center for a period not to exceed 90 days, with work release, at the direction of the U.S. Probation Office.

Except as provided above, all provisions of the judgment 08/26/1998 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: \_\_\_\_\_

Effective \_\_\_\_\_  
(if different from order)



Lacy H. Thornburg  
United States District Judge

